



GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Development of Machilipatnam Deep Water Port at Gilakaladinne near Machilipatnam  
– Award of Project to M/s Navayuga Engineering Company Limited – Revised – Orders  
– Issued.

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INFRASTRUCTURE & INVESTMENT (PORTS-I) DEPARTMENT

G.O.Ms.No. 7

Dated:15-4-2010.

Read the following:-

1. G.O.Ms.No.2, I&I (Ports-1) Dept.,dt.30-1-2008.
2. G.O.Ms.No.15, I&I (Ports-1) Dept.,dt.18-4-2008.
3. From M/s Machilipatnam Port Ltd. Lr.dt.28-8-2009.
4. From M/s Navayuga Engineering Company Ltd. Lr.  
Dt.28-8-2009.
5. Govt.Lr.No.618/P.I(2)/2008,dt.4-12-2009.
6. From the Advocate General, Lr.No.8/10/Opinion No.143 of  
2009, dt.2/6-1-2010.
7. Govt.Lr.No.618/P.I(2)/2008,dt.15-2-2010.
8. From M/s Navayuga Engineering Company Ltd., Lr.No.  
NEC /I&I/30, dt.16-2-2010.

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ORDER :

Orders were issued in G.O.1<sup>st</sup> read above awarding the Project for Development of Machilipatnam Deep Water Port at Gilakaladinne near Machilipatnam to M/s Maytas Infra Ltd. and orders were issued in the G.O.2<sup>nd</sup> read above for signing the Concession Agreement with the Vajra Seaport Private Limited (Special Purpose Company) for development of Machilipatnam Deep Water Port.

2. In their letter 3<sup>rd</sup> read above, M/s Machilipatnam Port Ltd. have represented that M/s Nagarjuna Construction Company Ltd. has been authorized to identify a lead promoter and strategic partner in the wake of SREI Infrastructure Finance Limited (SREI) – Sarat Chatterjee & Company (Visakhapatnam) Private Limited (SCPL) Group's exit and Maytas inability to carry forward with the project due to severe financial crunch and accordingly, the NECL (Navayuga Engineering Company Limited) has been selected as the lead promoter / strategic partner who is proposed to hold equity of not less than 26% along with Nagarjuna Construction Company Ltd. on the condition that the lead promoter shall be responsible for successful completion of the project. They have also furnished the copies of Board Resolutions of Vajra Seaport Private Limited and Machilipatnam Port Private Limited for change of name of the SPC as "Machilipatnam Port Limited". Maytas Infra Limited in their Board Resolution has authorized M/s Nagarjuna Construction Company Limited to represent the company before the Government of A.P. in relation to the amendment of the Concession Agreement and to release M/s Maytas Infra from all matters, obligations under the Concession Agreement, dated 21-4-2008 and they (the three signatories – M/s Maytas Infra Ltd., M/s SREI Infrastructure Finance Ltd.(SREI) and M/s Sarat Chatterjee & Company, (Visakhapatnam) Private Ltd. have requested the approval of the Government for the following proposals.

a) Admission of Navayuga Engineering Company Ltd. as lead promoter and exit of Maytas Infra Ltd., Sarat Chatterjee & Company (VSP) Pvt. Ltd., and SREI Infrastructure Finance Ltd.

(PTO)

b) Transfer of shares in the company by the existing shareholders to Navayuga Engineering Company Ltd. along with Nagarjuna Construction Company Ltd. such that it (NCCL) holds not less than 26% in the equity of the Company.

c) Transfer of the balance shares in the company by the existing shareholders to the Promoters, Nominees and Associates of Navayuga Engineering Company Ltd.

3. M/s Navayuga Engineering Company Ltd. (Navayuga Group) in their letter 4<sup>th</sup> read above, have accepted to be the lead promoter and strategic investor and given undertaking that they shall adhere to all the obligations/commitments of the Concession Agreement.

4. Government, after careful examination of the various issues involved in the request of M/s Machilipatnam Port Limited and also considering the Technical and Financial Competence of M/s Navayuga Engineering Company Ltd. and also the eligibility criteria laid down in the Expression of Interest (EoI), have decided to induct M/s Navayuga Engineering Company Ltd. as the Lead promoter of the Machilipatnam Port project, in supersession of the G.Os 1<sup>st</sup> and 2<sup>nd</sup> read above.

5. A Revised Concession Agreement will be signed with the Special Purpose Company i.e., Machilipatnam Port Limited duly amending all the relevant clauses relating to the Shareholding pattern in the existing Concession Agreement.

6. This order issues with the concurrence of Finance Department vide their U.O.No.010197-B/278/A2/Exp.PW/10, dated 15 -4-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.SAM BOB  
PRL.SECRETARY TO GOVERNMENT (FAC)

To

M/s Machilipatnam Port Limited, Hyderabad.

M/s Navayuga Engineering Company Ltd., Hyderabad.

The Director of Ports, Kakinada.

Copy to:

The Secretary to Government of India, Ministry of Shipping, New Delhi.

The Finance (Exp.PW) Dept.

The Genl.Admn.(Cabinet) Dept.,

Sf/Sc

// forwarded by order //

SECTION OFFICER